

VOL. XXVI.

NO STRIKE OF MINERS

Vote in Favor of Accepting the Wage Scale

ALL THE STATES AGAINST STRIKE

Illinois and Iowa the Only Two Where the Majority was Two to One Against the Scale and for a Strike—President Mitchell Much Pleased—Another Conference Between Operators and Mine Workers to Restore Agreement.

Indianapolis, Ind., (Special).—At the national headquarters of the United Mineworkers of America estimates on the vote of the miners had been computed by the national officers. They are positive the scale has been accepted and there will be no strike.

Of the 190,000 miners in the states voting it is estimated that 135,000 voted, and of these 85,500 voted for the scale and 49,500 voted against it and in favor of a strike.

Maryland did not vote, not being sure it was entitled to vote. West Virginia reports are meager, and no estimate is made. Indiana cast 10,000 votes—a majority of two to one for the scale. Illinois cast 30,000 votes, with a majority of two to one against the scale and in favor of a strike.

Pennsylvania cast 50,000 votes, with a majority of two to one for the scale. Kentucky had a small vote, with three to one for the scale. Iowa cast 10,000 votes, with a majority for a strike. Michigan cast a small vote for the scale. Ohio cast 35,000 votes, with four to one for the scale.

President Mitchell said he was pleased with the reports that have come in. He expressed confidence that the proposition of the operators would be accepted. He said that in case it were accepted a meeting of the joint scale committee would probably be called for Monday of next week to sign the contract for the central competitive field.

When the committee meets it is understood that it will appoint a time for the next conference between the operators of the central competitive field and the mineworkers, and in this manner restore the interstate agreement system to its former position. The greatest opposition to an acceptance of the operators' proposition was expected from Illinois and Iowa, representing about 55,000 of the total of 190,000 votes.

EXPLOSION OF LIQUID AIR.

One Man Killed, Another Injured and the Vessel Sunk.

New York, (Special).—The explosion of a tank of liquid air in the laboratory of the American Liquid Air Company killed one man, caused a panic among the employees in the place, and shook the entire neighborhood like an earthquake. Edward Corliss, of Bangor, Me., was working at a compressed-air machine, when the tank, which was only a few feet away from him, burst with a terrific report. One of his legs was torn from its socket and the other was mutilated.

Only four men were in the laboratory at the time. They were all badly hurt. Soon as one of them, Edward Russell, regained his faculties he went to the superintendent of the place and resigned.

"If I had known I was taking such desperate chances with my life I never would have worked near liquid air," he said as he put on his hat and coat and departed.

"LIKE A CITY OF DEATH."

Port Arthur Seemed to Be on Fire From a Boat.

London, (By Cable).—In a dispatch from Chefoo, dated on March 12, a correspondent of the Daily Mail describes an inspection of Port Arthur made from a boat. The new city seemed to be on fire; three columns of smoke were ascending from it. The Bread Hill fort appeared to have suffered terribly; the defenses were shattered and the earthworks torn up. No guns were visible. The town of the Tiger's Tail also appeared to have suffered damage. At sunrise no sign of life could be seen anywhere, and Port Arthur looked like a city of death. The torpedo-boat destroyers inside did not appear to have steam up.

Charged With Peonage.

Savannah, Ga., (Special).—In the United States District Court, before Judge Spear, argument was submitted on the constitutionality of the acts of Congress against peonage. The parties indicted are Sheriff McClellan, of Ware county, and Attorney Crawley, of the Way Cross bar, charged with selling negroes to be held in peonage. Judge Newman, of the northern district of Georgia, has held the law to be invalid. An argument against the law by William Toomer upheld the right of the state court to take any needed action.

Ticket Office Robbed.

Harrisburg, Pa., (Special).—Pointing revolvers into the face of Night Operator and Ticket Agent C. U. Cassel, in the Hammelstown Station of the Philadelphia and Reading Railway at 10:30 P. M., two men, wearing false mustaches, demanding all the money in the office. Cassel, who had been sitting with his back to the door, was taken by surprise and compelled to open the cash drawer, which contained \$15 in small change. The men took the money and escaped, going toward Harrisburg.

Russian Treason Case.

Vienna, (By Cable).—A telegram from Lemberg says that Captain Leontieff of the Russian General Staff was recently arrested at Warsaw for having sold to a foreign Power a list of the secret agents maintained by the Russian General Staff in the frontier districts of Russia's western neighbor. The discovery was made through the delivery of a money order to another person of the same name. Leontieff is reported to have been shot.

WANTS NO DELAY IN EXECUTION.

Murderer Believes He Is Deserving of the Death Penalty.

Albany, N. Y., (Special).—Governor Odell has received a most extraordinary letter from a man condemned to death for murder, requesting the interference of the executive to prevent any attempt to delay the execution. The writer is Frank H. Burness, a sailor, convicted in Brooklyn, of the murder of George B. Townsend, the captain of his vessel. He is confined to Sing Sing Prison and was to have been executed February 8, but the execution was stayed by an appeal to the Court of Appeals, taken by his attorney, without the consent of the condemned man.

The letter says in substance that the writer believes himself deserving of the death penalty, which he wants inflicted with all speed possible. He declares he does not want a new trial, as he has a violent temper which he is unable to control.

NEWS IN SHORT ORDER

The Latest Happenings Condensed for Rapid Reading.

Domestic.

Lieut. G. S. Richards and F. B. Nielsen have returned from Manila under arraignment to appear before a military court-martial on the charge of duplicating their pay accounts in the Philippines.

The directors of the Corn Product Company passed the dividend on the company's common stock; the usual quarterly dividend of 3/4 per cent. on the preferred stock was declared.

Second Deputy Police Commissioner Henry F. Hagerly was removed by Commissioner McAdoo after he had refused to hand in his resignation.

Eugene Allison, the builder of the wrecked Hotel Darlington, in New York, was closely questioned during the coroner's inquest.

The Citizens' Alliance of Telluride, Col., has shipped a number of union men and their sympathizers out of town.

William E. Miller, a member of the Light Brigade which made the famous charge at Balaklava, died at Grotan, Ct.

President Hill and other officials of the Northern Securities Companies held a conference in New York.

Two persons were killed and several were injured in an explosion that wrecked a toy factory in Chicago.

The miners of the central competitive district voted, by a large majority, to accept the wage scale. The only opposition was in Illinois and Iowa, where the majority was in favor of a strike.

A suit has been brought by the New York, New Haven and Hartford Railroad to secure a condemnation of stock in the old New-Haven and Derby Railroad.

Frank H. Burness, a condemned murderer, has written to Governor Odell requesting that there be no delay in his execution.

The petition of Mrs. Annie Murphy to be declared the lawful daughter of the late Baron von Glahn was denied.

State Senator Jewell, of Kansas City, was brought to trial upon the charge of soliciting a bribe.

The provisional battalion of Philippine scouts has arrived at San Francisco.

Admiral Dewey has explained to the Navy Department his failure to call on President Morales when he was near Santo Domingo. He did not deem it wise to make an official visit during the fighting that was then in progress.

In a fit of jealousy a negro killed his wife and then himself at Washington, Pa. The tragedy took place at the door of a church where a festival was in progress and the negroes in attendance were thrown into a panic.

A letter received in New York states that Miss Ando Toshi became the idol of the Japanese by stealing the map of the defenses of Port Arthur and taking them to the Japanese Minister in China.

Former Senator Rawlins, of Utah, sent a telegram to Chairman Burrows, of the Senate committee on Smoot, flatly contradicting Judge Hiles' statement that he was a Mormon.

Just as the members of a fanatical religious sect were about to sacrifice the seven-year-old child of Mrs. Beal on Beals Island, Me., the sheriff forcibly dispersed the congregation.

The Presbyterian Board of Foreign Missions in New York received by cable confirmation of the murder of Rev. Benjamin W. Laborer, the missionary, near Khio, Persia.

Foreign.

Officials of the American Embassy in Paris are considering points of French law to insure protection of the United States when payment of \$40,000,000 for Panama Canal property is made.

The German government has asked the Reichstag to appropriate \$1,675,000 for expenses in suppressing the Herero rebellion in German Southwest Africa.

Lewis Vernon-Harcourt, eldest son of William Vernon-Harcourt, has been elected to the House of Commons.

It is admitted in British government circles that Premier Balfour suffered a personal defeat in only being able to keep his ministry in power by a majority of 46.

The French Court of Cassation continued in the investigation of the War Office documents in the Dreyfus case.

On account of conflicting reports of the intentions of the Japanese commanders in Manchuria the Russian corps which has arrived at Harbin will be detained there.

Twenty-four States of the United States have passed industrial arbitration laws.

Waitresses at Rochester, N. Y., have formed a union. A shorter workday is desired.

The trials of the rioters and murderers at Kishineff were concluded. One man was sentenced to 20 years for the murder of a Jewish couple.

R. R. MERGER IS ILLEGAL

Long-Expected Decision Rendered Against Northern Securities Company.

SUPREME COURT UPHOLDS GOVERNMENT

Harlan, Brown, McKenna, Day and Brewer Outvote Others—Chief Justice Supported by White, Peckham and Holmes—Sherman Anti-Trust Law Applies to Railroad Combinations—Holding Company a Mere Dodge.

Washington, D. C., (Special).—The opinion of the Supreme Court of the United States in the case of the Northern Securities Company vs. the United States, involving the merger of the Northern Pacific and the Great Northern Railroad Companies, was handed down Monday, and was in favor of the Government. The opinion was read by Justice Harlan.

The decision was by a bare majority. Justice Harlan was supported by Justices Brown, McKenna, Day and Brewer, the last-named concurring for reasons different from those of the others. Chief Justice Fuller, Justices White, Peckham and Holmes dissented.

The opinion of the United States Circuit Court for the District of Minnesota was affirmed.

The effect is to sustain the contention that the Sherman anti-trust law applies to railroad combinations of the character in question.

Justice Harlan said that in the merger of the two roads the stockholders disappeared and reappeared in the Securities Company, the two thus becoming practically consolidated in a holding company, the principal object being to prevent competition.

"No scheme or device could certainly more effectively come within the prohibition of the anti-trust law and it is within the meaning of the act a trust."

The contentions of the Securities Company were reviewed, and Justice Harlan said they had received full attention. He quoted the various opinions involving the trust question, saying that from them it is to be gathered that all contracts in restraint of trade, reasonable or unreasonable, are prohibited by the Sherman law, and that Congress has the power to establish such regulations as are laid down in that law. Congress has power to enact the statute.

Replying in detail to the points made for the Securities Company, Justice Harlan said that the contention that the law is an interference with the rights of the individual States by which the companies are incorporated was not well founded. In such cases, he said, the authority of Congress is supreme. He also declared it to be unnecessary to determine the right of owners of railroad stock to sell their property, nor was it true that the right of the Securities Company to own and hold railroad stock was the only question involved. Such contentions are wide of the mark—mere men of straw. All that the Government complains of is the existence of a corporation to repress commerce, and is not concerned with the other points.

Justice Harlan said that in this day there should be no doubt of the complete power of Congress to control interstate commerce, and that all appropriate means might be resorted to for that purpose. All the prior trust cases were in support of that contention. Whether free and unrestrained competition was wise, he said, was an economic question with which the court need not concern itself; the question was that of statutory law.

He asserted the power of Congress over interstate commerce to be as complete as the power of a State over domestic commerce.

Coming to the plea of the railroads that the anti-trust law should be held unconstitutional, he said that the court could not see its way to that end. "If," he went on, "the Securities Company's contentions are sound, why may not all the railroads of the United States enter into a combination, and by the device of a holding corporation, control rates throughout the country in defiance of Congress?"

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NO POISONED SWORDS.

But Japanese Had Planned to Blow Up Russian Cavalry.

St. Petersburg, (By Cable).—The talk of "pyroline" (poisoned) swords having been left behind by the fleeing Japanese is based on the mistranslation of a Russian technical term. General Zilinski, chief of staff to Viceroy Alexieff, in a telegram said that pyroline had been found in the form of disc-shaped torpedoes, six inches in diameter, which the Japanese intended to use in bogging the road over which the Russians were expected to pass, in order that the explosions resulting from the impact of the horses' hoofs might cause a stampede. As the road between Anju and Ping Yang is very narrow, the hoofs of the horses of the Russian cavalry and artillery and the wheels of the wagons would have been certain to have exploded the torpedoes, thereby causing great confusion.

LIVE WASHINGTON AFFAIRS

No American Slave Dealers in the Philippines.

To Mandamus a Judge.

In the Supreme Court the Government, through Attorney-General Knox, applied for a writ of mandamus to compel Judge Francis J. Wing, of the United States District Court of the Northern District of Ohio, to take what the Department of Justice maintains is legal action with respect to certain Chinese expulsion cases. This is the first time in the history of the Supreme Court that the Government has sought a writ of mandamus against a Federal Judge.

Attorney-General Knox maintains that Judge Wing, in holding unconstitutional that part of the Chinese Exclusion law which provides for the deportation of alien Chinese after a hearing before a United States commissioner, is proceeding contrary to decision of the United States Supreme Court and is preventing the deportation of Chinese who are unlawfully in the United States.

According to Mr. Knox's petition the proceedings in Judge Wing's Court are peculiar. Many Chinese exclusion cases recently have arisen in that district. Chinese persons, said to be in this country unlawfully, were taken before Commissioner Simpson, and by him were ordered deported. Their counsel then went before Judge Wing with proceedings in appeal, and on the showing made the Judge released them. Subsequently, it is said, Judge Wing refused to take the necessary steps to have the papers filed in the District Court, which would enable the Government to appeal the cases to the United States Supreme Court. He held that the proceedings before him on appeal from the United States Commissioner were before him as Judge, and were not before the District Court, and that none of the papers, therefore, should be filed by the clerk of his court.

The result has been to nullify all efforts of the Government to get the cases before the Supreme Court, Judge Wing's position effectually blocking all proceedings in the cases after he has passed on them.

Cleveland.—Judge Wing recently released a number of Chinamen brought before him upon the charge of being in the United States unlawfully, on the ground that they had not been proven Chinese.

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NEW PENSION RULING.

Bureau Fixes the Age Limit for Civil War Veterans.

Commissioner of Pensions Ware with the approval of Secretary Hitchcock has promulgated the most important pension ruling that has been issued in a long time. The order follows:

Ordered, in the adjudication of pension claims under said act of June 27, 1890, as amended, it shall be taken and considered as an evidential fact if the contrary does not appear, and if all other legal requirements are properly met, that when a claimant has passed the age of 62 years he is disabled one-half in ability to perform manual labor and is entitled to be rated at \$6 per month; after 65 years, at \$8 per month; after 68 years, at \$10 per month; and after 70 years, \$12 per month.

Allowance at higher rates, not exceeding \$12 per month, will continue to be made as heretofore, where disabilities other than age show a condition of inability to perform manual labor.

This order shall take effect April 13, 1904, and shall not be deemed retroactive. The former rules of the office fixing the minimum and maximum at 65 years and 75 years respectively are hereby modified as above.

The order itself is prefaced by a preamble which, after citing the laws, says the pension bureau has established with reasonable certainty the average nature and extent of the infirmity of old age; that 39 years after the Mexican war, congress, in 1887, placed on the pension roll all Mexican war soldiers who were over 62 years old.

Commissioner Ware, just before leaving for a trip south for his health, spoke as follows regarding the order, which he said, would save both the old soldiers and the government a great deal of money and time.

There has long been in the bureau a rule fixing a maximum age limit at 75 years. This was made during Mr. Cleveland's administration by Commissioner Lochren.

GERMANS WANT SANTO DOMINGO.

Efforts to Secure Control of that Revolutionary Island.

Advices from Santo Domingo indicate Germany is at work to gain a preponderant influence in that republic as will give her a reasonable excuse to exercise a protectorate over the country if not to make it a German colony.

The recent arrival there of the nephew of the late President Heurieux whose assassination preceded the revolutions, is connected with Germany's designs. M. Heurieux, it is stated has been exiled and the hint comes the cause of his exile is the suspicion that he is really acting in the interest of Germany.

One of the plans attributed to Germany is the purchase from Spain, of a debt of over \$21,000,000. This debt was contracted after the war of independence in 1863 when a treaty was signed in which Spain recognized the independence of Santo Domingo and the latter recognized the above indebtedness which has never been paid.

It is asserted at a much later date Spain freed the island from this liability with the condition that the debt should be paid in the event of its annexation to some foreign power.

If Spain should transfer this debt to Germany and the latter power should insist on its validity, it would make Germany the heaviest creditor of the island. Should she try to collect the debt the only settlement possible would be the giving to Germany of Santo Domingo territory.

It is believed in Santo Domingo, according to the advices received here, that unless the United States soon undertakes the pacification of the public, Germany will step in and undertake the task.

COURT HOUSE DYNAMITED.

Attempt to Demolish Building Failed to Have Much Effect.

An attempt was made to wreck the Court House at St. Marys, W. Va., by dynamite. The last prisoner had been released and Jailer D. L. Stine moved into a dwelling several squares away.

The dynamiters forced open the north door. In the southeast corner of the jail near the ceiling they placed a stick of dynamite and attached a fuse which led to the corridor. The explosion occurred about 11 o'clock at night, and although Policeman Riggs was on the spot within five minutes he found no trace of the perpetrators.

Windows were shattered, the ceiling torn loose and the floor of the court room raised in that corner a foot. Some think it was done by someone who had once been confined in the jail. Others suggest that the deed was committed by parties who are in favor of a new Court House. Two years ago the County Commissioners caused the fact that the building was unsafe, and also passed an order providing for the erection of a new building, going so far as to pay about \$2,000 for an architect's plans, but have since done nothing.

All Three Shot Dead.

New Orleans, (Special).—Dr. W. W. Jones, a physician of Philadelphia, Miss., and Roy Esche, a planter, became engaged in a shooting affray on Sunday, due to Dr. Jones circulating damaging reports concerning Esche's sister. Both men were killed, as was Frank Burnett, a brother of Esche, who tried to restore peace between the two men.

Saloonkeepers Held for Death.

The appellate court at Springfield, Ill., holds that saloon men are liable for the death of their patrons who die while under the influence of liquor sold them by the defendants. The case was that of Kate Algood, who was awarded \$3000 damages against William Botwinis, a saloon man of that city, for the death of her husband, George Algood, who had been drinking in the saloon of Botwinis, and who, while on his way home in an intoxicated condition, fell from his buggy and received fatal injuries.

UNIVERSITIES MAY MERGE.

Plan to Unite Three Big Institutions at Washington.

Washington, D. C., (Special).—A plan has been suggested to unite Columbian, American and National Universities of the District of Columbia to form the nucleus of a great national university at the Capital City.

The trustees of the American University, with its endowment of over \$2,000,000 and its wide tract of ground in the northwestern suburbs, have discussed the project. Bishop McCabe, the head of the University, has spoken favorably of the idea.

President Needham of Columbian University and a number of the other officers of that institution have expressed a willingness to meet the American University people and consider the project. The National University officers are favorable. It is entirely probable that within the next few months such a meeting of the different interests will be had.

WILD PANIC IN COTTON.

Announcement of Failure Brings Rush for Selling Orders.

Daniel J. Sully, the cotton operator, who has for 15 months been the biggest figure in the cotton markets of the world and who has "busted" cotton from seven cents a pound to over 17, announced his inability to make good his engagements on the New York Cotton exchange Friday. Within a few months cotton fell nearly 13 a bale from the highest figures of the day.

All previous records of stock panics are eclipsed by the mad frenzy following the tidings of the failure. In the memory of many brokers corners in spot and futures have been smashed, but no scene has ever been witnessed in the history of the exchange like the mad turmoil accompanying the collapse of Daniel J. Sully & Co.

For a few seconds after Superintendent King read the announcement, which was at 2:05 o'clock, there was an ominous quiet. Brokers stood as if stunned by the news that the king had fallen. Then as if by a single impulse, a mighty shout went up from the bears. They had fought Sully and his bull clique for months, and the tidings of surrender after he had shoved cotton from seven cents a pound to over 17 cents frenzied every man of them, each of whom at one time or another had been under the mighty lever.

Hats filled the air, to fall where they would and be trampled to a shapeless pulp, in the mad stampede from the pit. Coats were torn from brokers in their mad effort to unload their holdings and chairs were dashed into the circle, to emphasize some wild broker's offer to sell. Soon the news reached the stock, produce and coffee exchange, and a decline followed in nearly all securities.

In the 30 minutes of panic following the announcement of the failure it is estimated that 750,000 bales of cotton were traded in. Of this, upward of 500,000 bales represented forced liquidation, or the selling out of a man whose margins were wiped out. The loss falling upon this element in the slump of 250 points alone amounts to over